

DEC 01 2004

PATENTS TRADEMARK OFFICE

TRANSMITTAL FORM

(To be used for all correspondence
after initial filing)

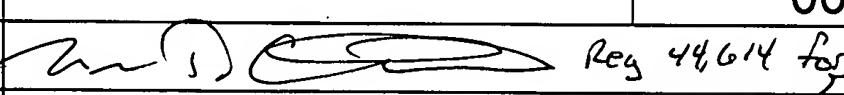
| | |
|----------------------|-----------------------------|
| Application Number | 09/827,271 |
| Filing Date | April 4, 2001 |
| First Named Inventor | Marc W. Retter |
| Art Unit | 1642 |
| Examiner Name | Brandon J. Fetterolf, Ph.D. |
| Attorney Docket No. | 210121.462C6 |

ENCLOSURES (check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Correct Inventorship under 1.48(a) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> • <u>Statement of Newly Added Inventors</u> • <u>Statement of Currently Named Inventors</u> • <u>Supplemental Declaration</u> • <u>Consent of Assignee to Correct Inventorship</u> |
|---|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|-----------------|--------|
| Firm Name | Seed Intellectual Property Law Group PLLC | Customer Number | 00500 |
| Signature |  Reg 44,614 for | | |
| Printed Name | Jeffrey Hundley, Ph.D., Patent Agent | | |
| Date | December 1, 2004 | Reg. No. | 42,676 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date:



DEC 01 2004

FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

| | | |
|---|--|------|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | |
| TOTAL AMOUNT OF PAYMENT | | (\$) |
| | | 1110 |

| Complete If Known | |
|----------------------|-----------------------------|
| Application Number | 09/827,271 |
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| First Named Inventor | Marc W. Retter |
| Examiner Name | Brandon J. Fetterolf, Ph.D. |
| Art Unit | 1642 |
| Attorney Docket No. | 210121.462C6 |

| METHOD OF PAYMENT (check all that apply) | | | | | |
|---|--|--------------------------------------|--------------------------------------|--------------------------------|----------|
| <input checked="" type="checkbox"/> Payment Enclosed: | <input checked="" type="checkbox"/> Check | <input type="checkbox"/> Credit card | <input type="checkbox"/> Money Order | <input type="checkbox"/> Other | |
| <input type="checkbox"/> Deposit Account: | Deposit Account Number: 19-1090 Deposit Account Name: Seed Intellectual Property Law Group PLLC | | | | |
| The Director Is authorized to (check all that apply) | | | | | |
| <input type="checkbox"/> Charge fee(s) indicated below | <input checked="" type="checkbox"/> Credit any overpayments | | | | |
| <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) | | | | | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee | | | | | |
| <input checked="" type="checkbox"/> Charge any deficiencies | | | | | |
| to the above-identified deposit account. | | | | | |
| FEE CALCULATION | | | | | |
| 1. BASIC FILING FEE | | | | | |
| Large Entity | Small Entity | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 1001 | 790 | 2001 | 395 | Utility filing fee | |
| 1002 | 350 | 2002 | 175 | Design filing fee | |
| 1003 | 550 | 2003 | 275 | Plant filing fee | |
| 1004 | 790 | 2004 | 395 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$) | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | | | |
| Large Entity | Small Entity | Extra Claims | Fee from below | Fee Paid | |
| Total Claims | | -** | = | | |
| Independent Claims | | -** | = | | |
| Multiple Dependent | | | | | |
| SUBTOTAL (2) | | | | (\$) | |
| **or number previously paid, if greater; For Reissues, see above | | | | | |

| FEE CALCULATION (continued) | | | | | |
|-----------------------------------|--------------|----------|----------|--|----------|
| 3. ADDITIONAL FEES | | | | | |
| Large Entity | Small Entity | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2520 | 1812 | 2520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1840* | 1805 | 1840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 430 | 2252 | 215 | Extension for reply within second month | |
| 1253 | 980 | 2253 | 490 | Extension for reply within third month | 980 |
| 1254 | 1530 | 2254 | 765 | Extension for reply within fourth month | |
| 1255 | 2080 | 2255 | 1040 | Extension for reply within fifth month | |
| 1401 | 340 | 2401 | 170 | Notice of Appeal | |
| 1402 | 340 | 2402 | 170 | Filing a brief in support of an appeal | |
| 1403 | 300 | 2403 | 150 | Request for oral hearing | |
| 1451 | 1510 | 1451 | 1510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1370 | 2453 | 685 | Petition to revive – unintentional | |
| 1501 | 1370 | 2501 | 685 | Utility issue fee (or reissue) | |
| 1502 | 490 | 2502 | 245 | Design issue fee | |
| 1503 | 660 | 2503 | 330 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | 130 |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | SUBTOTAL (3) (\$ 1110) | |
| *Reduced by Basic Filing Fee Paid | | | | | |

| SUBMITTED BY | | | | | |
|-----------------------|--|-------------------------------------|--------|------------------|--------------|
| Name (Print/Type) | Jeffrey Hundley, Ph.D. Patent Agent | Registration No. Attorney/Agent) | 42,676 | Telephone | 206-622-4900 |
| Signature | | | Date | December 1, 2004 | |
| Customer Number 00500 | | | | | |

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.